

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**  
**DOCKET NO.: 2007-0463-AIR-E TCEQ ID: RN102579307 CASE NO.: 33027**  
**RESPONDENT NAME: EXXON MOBIL CORPORATION**

Page 1 of 3

<b>ORDER TYPE:</b>		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
<b>CASE TYPE:</b>		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p><b>SITE WHERE VIOLATION(S) OCCURRED:</b> 2800 Decker Drive, Baytown, Harris County</p> <p><b>TYPE OF OPERATION:</b> Refining and supply company</p> <p><b>SMALL BUSINESS:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There were no complaints. There are 15 additional pending enforcement actions regarding this facility location; Docket Nos. 2005-1824-AIR-E, 2007-0214-AIR-E, 2007-0566-AIR-E, 2007-0802-AIR-E, 2007-0872-AIR-E, 2007-0932-AIR-E, 2007-1134-AIR-E, 2007-1183-AIR-E, 2007-1210-AIR-E, 2007-1221-AIR-E, 2007-1404-AIR-E, 2008-0160-AIR-E, 2008-0641-AIR-E, 2008-0872-AIR-E, 2008-1163-AIR-E</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on July 7, 2008. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b></p> <p style="margin-left: 20px;"><b>TCEQ Attorney:</b> Ms. Kathleen C. Decker, Litigation Division, MC 175, (512) 239-6500 Ms. Lena Roberts, Litigation Division, MC 175, (512) 239-0019</p> <p style="margin-left: 20px;"><b>TCEQ Enforcement Coordinator:</b> Ms. Kimberly Morales, Air Enforcement Section, MC R-12, (713) 422-8938</p> <p style="margin-left: 20px;"><b>TCEQ Regional Contact:</b> Ms. Linda Vasse, Houston Regional Office, MC R-12, (713) 767-3637</p> <p style="margin-left: 20px;"><b>Respondent:</b> Mr. Gary W. Wilson, Baytown Refinery Manager, 2800 Decker Drive, Baytown, Texas 77520-2020</p> <p style="margin-left: 20px;"><b>Respondent's Attorney:</b> Mr. George J. Rizzo, Counsel, Exxon Mobil Law Department Environmental Section, 800 Bell Street, Houston, Texas 77002</p>		

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b></p> <p> <input type="checkbox"/> Complaint  <input type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input checked="" type="checkbox"/> Records Review         </p> <p><b>Date of Complaint Relating to this Case:</b> None</p> <p><b>Dates of Investigation Relating to this Case:</b> December 14, 2006; July 17, 2006</p> <p><b>Dates of NOEs Relating to this Case:</b> March 8, 2007; March 23, 2007; March 27, 2007</p> <p><b>Background Facts:</b></p> <p>An EDPRP was filed on July 9, 2007. The case was referred to SOAH and a signed Agreed Order was received on May 19, 2008.</p> <p><b>Current Compliance Status:</b></p> <p>No outstanding Technical Requirements.</p> <p><b>AIR:</b></p> <p>1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 28,213 lbs. of CO, 115 lbs. of ammonia and 92 lbs. of hydrogen cyanide from the FCCU3 during an avoidable emissions event that began on June 16, 2005, and lasted three hours and 34 minutes [30 TEX. ADMIN. CODE § 116.715(a); Air Permit No. 18287, Special Condition No. 1; and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p> <p>2. Failed to prevent unauthorized emissions. Specifically, the Respondent released 25,336 lbs. of heptane, 308 lbs. of toluene and 2 lbs. of benzene from the Oil Movements Area 2 during an avoidable emissions event that began on May 31, 2006 and lasted 15 hours and 50 minutes [30 TEX. ADMIN. CODE § 116.715(a); Air Permit No. 18287, Special Condition No. 1; and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p> <p>3. Failed to prevent unauthorized emissions. Specifically, the Respondent released 8,005 lbs. of CO, 209 lbs. nitrogen oxide, and 68,157 lbs. of SO<sub>2</sub> from the Flexicoker and the Sulfur Conversion Unit during an avoidable emissions event that began May 23, 2006, and lasted three hours and 47 minutes [30 TEX. ADMIN. CODE § 116.715(a); Air Permit No. 18287, Special Condition No. 1; and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p>	<p><b>Total Assessed:</b> \$30,000</p> <p><b>Total Deferred:</b> \$0</p> <p> <input type="checkbox"/> Expedited Order  <input type="checkbox"/> Financial Inability to Pay  <input type="checkbox"/> SEP Conditional Offset         </p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid to General Revenue:</b> \$30,000</p> <p>The Respondent has paid the \$30,000 administrative penalty in full.</p> <p><b>Site Compliance History Classification:</b></p> <p><input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification:</b></p> <p><input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p> <p><b>Findings Order Justification:</b></p> <p>This is a findings order because each of the violations was determined to be an excessive emissions event.</p> <p><b>Excessive Emissions Event Determination Factors:</b></p> <p>1. <u><b>June 16, 2005 Event:</b></u></p> <p><b>30 Tex. Admin. Code § 101.222(a)(1)</b></p> <p>There were 12 emissions events at the Fluid Catalytic Cracking Unit over the past twelve months.</p> <p><b>30 Tex. Admin. Code § 101.222(a)(2)</b></p> <p>The cause of the event was poor operations practices. The event was caused by an instrument air disruption to the fuel gas control valve which led to an unplanned shutdown of a CO boiler.</p> <p>2. <u><b>May 31, 2006 Event:</b></u></p> <p><b>30 Tex. Admin. Code § 101.222(a)(2)</b></p> <p>The cause of the event was poor operations practices. The Respondent failed to prevent heptane from being released to the atmosphere. An Oil Movements process technician opened the water draw valve on Tank 741 to drain water to the refinery process water sewer system, but left the tank area without closing the water draw valve.</p>	<p><b>Corrective Actions Taken:</b></p> <p>1. The Executive Director recognizes that on May 14, 2007, the Respondent submitted completed Corrective Action Plans ("CAPS") to the Executive Director to address the excessive emissions events that occurred on June 16, 2005, and May 23 and 31, 2006.</p> <p>2. The Executive Director recognizes that the CAPS were approved by the Executive Director on September 5, 2007.</p>

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
	<p>3. <u>May 23, 2006 Event:</u></p> <p>30 Tex. Admin. Code § 101.222(a)(1) There were 8 emissions events at the Flexicoker Unit over the past twelve months.</p> <p>30 Tex. Admin. Code § 101.222(a)(2) The cause of the event was poor operations practices. The Respondent failed to prevent the flooding of the Flexicoker regeneration tower T-315 which resulted in the unauthorized emissions.</p>	



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision January 9, 2007

**TCEQ**

<b>DATES</b>	<b>Assigned</b>	12-Mar-2007	<b>Screening</b>	21-Mar-2007	<b>EPA Due</b>	3-Dec-2007
	<b>PCW</b>	7-Apr-2008				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	Exxon Mobil Corporation		
<b>Reg. Ent. Ref. No.</b>	RN102579307		
<b>Facility/Site Region</b>	12-Houston	<b>Major/Minor Source</b>	Major

## CASE INFORMATION

<b>Enf./Case ID No.</b>	33027	<b>No. of Violations</b>	3
<b>Docket No.</b>	2007-0463-AIR-E	<b>Order Type</b>	Findings
<b>Media Program(s)</b>	Air Quality	<b>Enf. Coordinator</b>	John Muennink
<b>Multi-Media</b>		<b>EC's Team</b>	Enforcement Team 6
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$10,000

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** **Subtotal 1** **\$30,000**

### ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

**Compliance History** **424% Enhancement** **Subtotals 2, 3, & 7** **\$127,200**

**Notes**  
Enhancement due to 20 NOVs with same or similar violations, 17 NOVs with unrelated violations (including four self-reported monthly effluent violations), two 1660 Agreed Orders, nine Findings Orders and a Repeat Violator Classification.

**Culpability** **No** **0% Enhancement** **Subtotal 4** **\$0**

**Notes**  
The Respondent does not meet the culpability criteria.

**Good Faith Effort to Comply** **0% Reduction** **Subtotal 5** **\$0**

**Before NOV** **NOV to EDPRP/Settlement Offer**

<b>Extraordinary</b>	
<b>Ordinary</b>	
<b>N/A</b>	X (mark with x)

**Notes**  
The Respondent does not meet the good faith criteria.

**Total EB Amounts** **\$996** **0% Enhancement\*** **Subtotal 6** **\$0**  
**Approx. Cost of Compliance** **\$12,000** **\*Capped at the Total EB \$ Amount**

**SUM OF SUBTOTALS 1-7** **Final Subtotal** **\$157,200**

**OTHER FACTORS AS JUSTICE MAY REQUIRE** **Adjustment** **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

**Notes**

**Final Penalty Amount** **\$157,200**

**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty** **\$30,000**

**DEFERRAL** **0% Reduction** **Adjustment** **\$0**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

**Notes**

No deferral is recommended for Findings Orders.

**PAYABLE PENALTY** **\$30,000**

Screening Date 21-Mar-2007

Docket No. 2007-0463-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 33027

PCW Revision January 9, 2007

Reg. Ent. Reference No. RN102579307

Media [Statute] Air Quality

Enf. Coordinator John Muennink

## Compliance History Worksheet

## &gt;&gt; Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	20	100%
	Other written NOVs	17	34%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	9	225%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 399%

## &gt;&gt; Repeat Violator (Subtotal 3)

Yes

Adjustment Percentage (Subtotal 3) 25%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

Compliance  
History  
Notes

Enhancement due to 20 NOVs with same or similar violations, 17 NOVs with unrelated violations (including four self-reported monthly effluent violations), two 1660 Agreed Orders, nine Findings Orders and a Repeat Violator Classification.

Total Adjustment Percentage (Subtotals 2, 3, &amp; 7) 424%

Screening Date 21-Mar-2007

Docket No. 2007-0463-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 33027

PCW Revision January 9, 2007

Reg. Ent. Reference No. RN102579307

Media [Statute] Air Quality

Enf. Coordinator John Muennink

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.715(a), Tex. Health &amp; Safety Code § 382.085(b) and Permit No. 18287, Special Condition No. 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, Exxon released 28,213 pounds ("lbs") of carbon monoxide ("CO"), 115 lbs of ammonia and 92 lbs of hydrogen cyanide from the Fluid Catalytic Cracking Unit ("FCCU") 3 during an avoidable emissions event that began June 16, 2005 and lasted three hours and 34 minutes. Since these emissions were avoidable and determined to be excessive, Exxon failed to meet the demonstrations necessary to present an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	x		
Potential			

Percent 100%

## &gt;&gt; Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to a significant amount of pollutants as a result of the violation.

Adjustment \$0

\$10,000

## Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one  
with an x

daily	x
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$10,000

One daily event is recommended.

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$552

Violation Final Penalty Total \$52,400

This violation Final Assessed Penalty (adjusted for limits) \$10,000

## Economic Benefit Worksheet

**Respondent:** Exxon Mobil Corporation  
**Case ID No.:** 33027  
**Reg. Ent. Reference No.:** RN102579307  
**Media:** Air Quality  
**Violation No.:** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<small>No commas or \$</small>							

### Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$5,000	16-Jun-2005	31-Aug-2007	2.2	\$552	n/a	\$552

Notes for DELAYED costs

Estimated expense to implement measures designed to prevent the reoccurrence of emissions due to the same causes. Date required is the date of the emissions event. Final date is the date that corrective actions are estimated to be completed.

### Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$552

Screening Date 21-Mar-2007

Docket No. 2007-0463-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 33027

PCW Revision January 9, 2007

Reg. Ent. Reference No. RN102579307

Media [Statute] Air Quality

Enf. Coordinator John Muennink

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 116.715(a), Tex. Health &amp; Safety Code § 382.085(b) and Permit No. 18287, Special Condition No. 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, Exxon released 25,336 lbs of heptane, 308 lbs of toluene and 2 lbs of benzene from the Oil Movements Area 2 during an avoidable emissions event that began May 31, 2006 and lasted 15 hours and 50 minutes. Since these emissions were avoidable and determined to be excessive, Exxon failed to meet the demonstrations necessary to present an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	x		
Potential			

Percent 100%

## &gt;&gt; Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to a significant amount of pollutants as a result of the violation. Screen 3 modeling predicted that the fence line ambient air concentrations of heptane would be above the TCEQ 1-Hour Effects Screening Level ("ESL").

Adjustment \$0

\$10,000

## Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x	daily	x
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$10,000

One daily event is recommended.

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$125

Violation Final Penalty Total \$52,400

This violation Final Assessed Penalty (adjusted for limits) \$10,000



## Economic Benefit Worksheet

**Respondent** Exxon Mobil Corporation

**Case ID No.** 33027

**Reg. Ent. Reference No.** RN102579307

**Media** Air Quality

**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

### Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$2,000	31-May-2006	31-Aug-2007	1.3	\$125	n/a	\$125

Notes for DELAYED costs

Estimated expense to implement measures designed to prevent the reoccurrence of emissions due to the same causes. Date required is the date of the emissions event. Final date is the date that corrective actions are estimated to be completed.

### Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$125

Screening Date 21-Mar-2007

Docket No. 2007-0463-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 33027

PCW Revision January 9, 2007

Reg. Ent. Reference No. RN102579307

Media [Statute] Air Quality

Enf. Coordinator John Muennink

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 116.715(a), Tex. Health &amp; Safety Code § 382.085(b) and Permit No. 18287, Special Condition No. 1

## Violation Description

Failed to prevent unauthorized emissions. Specifically, Exxon released 8,005 lbs of CO, 209 lbs nitrogen oxide and 68,157 lbs of sulfur dioxide ("SO<sub>2</sub>") from the Flexicoker and the Sulfur Conversion Unit during an avoidable emissions event that began May 23, 2006 and lasted three hours and 47 minutes. Since these emissions were avoidable and determined to be excessive, Exxon failed to meet the demonstrations necessary to present an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	x		
Potential			

Percent 100%

## &gt;&gt; Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to a significant amount of pollutants as a result of the violation.

Adjustment \$0

\$10,000

## Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x	daily	x
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$10,000

One daily event is recommended.

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$318

Violation Final Penalty Total \$52,400

This violation Final Assessed Penalty (adjusted for limits) \$10,000

## Economic Benefit Worksheet

Respondent Exxon Mobil Corporation

Case ID No. 33027

Reg. Ent. Reference No. RN102579307

Media Air Quality

Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

### Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$5,000	23-May-2006	31-Aug-2007	1.3	\$318	n/a	\$318

Notes for DELAYED costs

Estimated expense to implement measures designed to prevent the reoccurrence of emissions due to the same causes. Date required is the date of the emissions event. Final date is the date that corrective actions are estimated to be completed.

### Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$318

## Compliance History

Customer/Respondent/Owner-Operator:

CN600123939

Exxon Mobil Corporation

Classification: AVERAGE

Rating: 2.80

Regulated Entity:

RN102579307

EXXON MOBIL BAYTOWN FACILITY

Classification: AVERAGE

Site Rating: 4.21

ID Number(s):

AIR NEW SOURCE PERMITS	PERMIT	11007
AIR NEW SOURCE PERMITS	PERMIT	1384
AIR NEW SOURCE PERMITS	PERMIT	1632
AIR NEW SOURCE PERMITS	PERMIT	2007
AIR NEW SOURCE PERMITS	PERMIT	2073
AIR NEW SOURCE PERMITS	PERMIT	2185
AIR NEW SOURCE PERMITS	PERMIT	2209
AIR NEW SOURCE PERMITS	PERMIT	2258
AIR NEW SOURCE PERMITS	PERMIT	2389
AIR NEW SOURCE PERMITS	PERMIT	2521
AIR NEW SOURCE PERMITS	PERMIT	2665
AIR NEW SOURCE PERMITS	PERMIT	2794
AIR NEW SOURCE PERMITS	PERMIT	2977
AIR NEW SOURCE PERMITS	PERMIT	2979
AIR NEW SOURCE PERMITS	PERMIT	4973
AIR NEW SOURCE PERMITS	PERMIT	9163
AIR NEW SOURCE PERMITS	PERMIT	9556
AIR NEW SOURCE PERMITS	PERMIT	10461
AIR NEW SOURCE PERMITS	PERMIT	10550
AIR NEW SOURCE PERMITS	PERMIT	11053
AIR NEW SOURCE PERMITS	PERMIT	11206
AIR NEW SOURCE PERMITS	PERMIT	11250
AIR NEW SOURCE PERMITS	PERMIT	11380
AIR NEW SOURCE PERMITS	PERMIT	11464
AIR NEW SOURCE PERMITS	PERMIT	11475
AIR NEW SOURCE PERMITS	PERMIT	11483
AIR NEW SOURCE PERMITS	PERMIT	11555
AIR NEW SOURCE PERMITS	PERMIT	11624
AIR NEW SOURCE PERMITS	PERMIT	11703
AIR NEW SOURCE PERMITS	PERMIT	11939
AIR NEW SOURCE PERMITS	PERMIT	12226
AIR NEW SOURCE PERMITS	PERMIT	12380
AIR NEW SOURCE PERMITS	PERMIT	12628
AIR NEW SOURCE PERMITS	PERMIT	12968
AIR NEW SOURCE PERMITS	PERMIT	12977
AIR NEW SOURCE PERMITS	PERMIT	12994
AIR NEW SOURCE PERMITS	PERMIT	17160
AIR NEW SOURCE PERMITS	PERMIT	17369
AIR NEW SOURCE PERMITS	PERMIT	17370
AIR NEW SOURCE PERMITS	PERMIT	18287
AIR NEW SOURCE PERMITS	PERMIT	18318
AIR NEW SOURCE PERMITS	PERMIT	18448
AIR NEW SOURCE PERMITS	PERMIT	19301
AIR NEW SOURCE PERMITS	PERMIT	21222
AIR NEW SOURCE PERMITS	PERMIT	22874
AIR NEW SOURCE PERMITS	PERMIT	24669
AIR NEW SOURCE PERMITS	PERMIT	26486
AIR NEW SOURCE PERMITS	PERMIT	26294
AIR NEW SOURCE PERMITS	PERMIT	27403
AIR NEW SOURCE PERMITS	PERMIT	28697
AIR NEW SOURCE PERMITS	PERMIT	26443
AIR NEW SOURCE PERMITS	PERMIT	30186
AIR NEW SOURCE PERMITS	PERMIT	31067
AIR NEW SOURCE PERMITS	PERMIT	31008
AIR NEW SOURCE PERMITS	PERMIT	31690
AIR NEW SOURCE PERMITS	PERMIT	31852
AIR NEW SOURCE PERMITS	PERMIT	31915
AIR NEW SOURCE PERMITS	PERMIT	34139
AIR NEW SOURCE PERMITS	PERMIT	34295
AIR NEW SOURCE PERMITS	PERMIT	33875
AIR NEW SOURCE PERMITS	PERMIT	36536
AIR NEW SOURCE PERMITS	PERMIT	36664
AIR NEW SOURCE PERMITS	PERMIT	38532
AIR NEW SOURCE PERMITS	PERMIT	39164
AIR NEW SOURCE PERMITS	PERMIT	40394
AIR NEW SOURCE PERMITS	PERMIT	40421
AIR NEW SOURCE PERMITS	PERMIT	38572
AIR NEW SOURCE PERMITS	PERMIT	42509
AIR NEW SOURCE PERMITS	PERMIT	43489
AIR NEW SOURCE PERMITS	PERMIT	43582
AIR NEW SOURCE PERMITS	PERMIT	44162
AIR NEW SOURCE PERMITS	PERMIT	47145
AIR NEW SOURCE PERMITS	PERMIT	47912
AIR NEW SOURCE PERMITS	PERMIT	49342
AIR NEW SOURCE PERMITS	PERMIT	49893
AIR NEW SOURCE PERMITS	PERMIT	50203
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0232Q
AIR NEW SOURCE PERMITS	PERMIT	51246
AIR NEW SOURCE PERMITS	REGISTRATION	55381

AIR NEW SOURCE PERMITS	AFS NUM	4820100027
AIR NEW SOURCE PERMITS	REGISTRATION	56702
AIR NEW SOURCE PERMITS	PERMIT	PSDTX730M2
AIR NEW SOURCE PERMITS	REGISTRATION	76221
AIR NEW SOURCE PERMITS	REGISTRATION	76269
AIR NEW SOURCE PERMITS	REGISTRATION	75409
AIR NEW SOURCE PERMITS	REGISTRATION	75412
AIR NEW SOURCE PERMITS	REGISTRATION	75543
AIR NEW SOURCE PERMITS	REGISTRATION	75420
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975
AIR NEW SOURCE PERMITS	REGISTRATION	71553
AIR NEW SOURCE PERMITS	REGISTRATION	71614
AIR NEW SOURCE PERMITS	PERMIT	P975
AIR NEW SOURCE PERMITS	PERMIT	55511
AIR NEW SOURCE PERMITS	PERMIT	50429
AIR NEW SOURCE PERMITS	PERMIT	53461
AIR NEW SOURCE PERMITS	PERMIT	54582
AIR NEW SOURCE PERMITS	PERMIT	54497
AIR NEW SOURCE PERMITS	PERMIT	71394
AIR NEW SOURCE PERMITS	PERMIT	50582
AIR NEW SOURCE PERMITS	PERMIT	52474
AIR NEW SOURCE PERMITS	PERMIT	55912
AIR NEW SOURCE PERMITS	PERMIT	54848
AIR NEW SOURCE PERMITS	PERMIT	53785
AIR NEW SOURCE PERMITS	REGISTRATION	72857
AIR NEW SOURCE PERMITS	REGISTRATION	74344
AIR NEW SOURCE PERMITS	REGISTRATION	74483
AIR NEW SOURCE PERMITS	REGISTRATION	74575
AIR NEW SOURCE PERMITS	REGISTRATION	74578
AIR NEW SOURCE PERMITS	REGISTRATION	74885
AIR NEW SOURCE PERMITS	REGISTRATION	75075
AIR NEW SOURCE PERMITS	PERMIT	75186
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M2
AIR NEW SOURCE PERMITS	REGISTRATION	76713
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M3
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975M2
AIR NEW SOURCE PERMITS	REGISTRATION	76931
AIR NEW SOURCE PERMITS	REGISTRATION	77409
AIR NEW SOURCE PERMITS	REGISTRATION	77399
AIR NEW SOURCE PERMITS	REGISTRATION	77720
AIR NEW SOURCE PERMITS	REGISTRATION	77854
AIR NEW SOURCE PERMITS	REGISTRATION	77856
AIR NEW SOURCE PERMITS	REGISTRATION	78550
AIR NEW SOURCE PERMITS	REGISTRATION	78881
AIR NEW SOURCE PERMITS	REGISTRATION	78997
AIR NEW SOURCE PERMITS	REGISTRATION	79217
AIR NEW SOURCE PERMITS	REGISTRATION	79286
AIR NEW SOURCE PERMITS	REGISTRATION	79530
AIR NEW SOURCE PERMITS	REGISTRATION	79601
AIR NEW SOURCE PERMITS	REGISTRATION	80102
AIR NEW SOURCE PERMITS	REGISTRATION	80108
AIR NEW SOURCE PERMITS	REGISTRATION	80212
AIR NEW SOURCE PERMITS	REGISTRATION	80173
AIR NEW SOURCE PERMITS	REGISTRATION	80377
AIR NEW SOURCE PERMITS	REGISTRATION	80348
AIR NEW SOURCE PERMITS	REGISTRATION	80359
AIR NEW SOURCE PERMITS	REGISTRATION	80718
AIR NEW SOURCE PERMITS	REGISTRATION	80970
AIR NEW SOURCE PERMITS	REGISTRATION	80989
AIR NEW SOURCE PERMITS	EPA ID	PAL7
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000782698
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30040
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000782698
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30040
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50111
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50111
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0232Q
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0232Q
AIR OPERATING PERMITS	PERMIT	1229
WASTEWATER	PERMIT	TPDES0006271
WASTEWATER	PERMIT	WQ0000592000
WASTEWATER	PERMIT	TX0006271
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	8309
STORMWATER	PERMIT	TXR157592
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50111
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50111
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30040

Location: 2800 DECKER DR, BAYTOWN, TX, 77520

Rating Date: 9/1/2006 Repeat Violator: YES

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: March 23, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: March 23, 2002 to March 23, 2007

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: John Muennink Phone: (361) 825-3423

#### Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? No
3. If Yes, who is the current owner? N/A
4. If Yes, who was/were the prior owner(s)? N/A
5. When did the change(s) in ownership occur? N/A

#### Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 09/23/2002

ADMINORDER 2001-1269-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Spec Cond 1 PERMIT

Description: Failure to demonstrate that the upset that occurred from February 23, 2001 to March 5, 2001 could not have been prevented.

Effective Date: 03/03/2005

ADMINORDER 2004-0296-AIR-E

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter H 101.354(g)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Operated FINs LS243RP1, LS243RP2 & LS243RP3 during the 2002 without first obtaining allowances for the emissions

Effective Date: 03/11/2005

ADMINORDER 2002-1243-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 1 OP

Description: Failure to limit emissions during an upset.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 1 OP

Description: Failure to limit emissions during an upset that occurred July 23 to 24, 2002.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failure to limit emissions during an emissions event that occurred September 17 to 19, 2002 and September 20 to 25, 2002.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 1 OP

Description: Failure to limit emissions during an emissions event that occurred October 28 to 29, 2002.

Effective Date: 08/07/2005

ADMINORDER 2003-1185-AIR-E

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18287 and PSD-TX-730, SC No. 20.D PA

Description: Failure to conduct grab samples which is representative of the vent gas to flares 14, 15, 17, 19, 20, 22, 25, 26 and 27.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)  
Description: ExxonMobil allowed the release of unauthorized emissions that were part of a frequent and recurring pattern indicative of inadequate design, operation, and maintenance.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to submit a timely initial notification after discovery of a reportable emissions event.

Effective Date: 02/20/2006

ADMINORDER 2004-0818-AIR-E

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ FLEX PERMIT #18287 / #PSD-TX-730M2 PERMIT

Description: Failed to prevent unauthorized emissions that began on June 4, 2003 and lasted for 128 hours.

Effective Date: 04/29/2006

ADMINORDER 2005-0993-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT  
Special Conditions PERMIT

Description: Failed to prevent an avoidable emissions event, resulting in the unauthorized release of air contaminants.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent an avoidable emissions event, resulting in the unauthorized release of air contaminants.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18287 Special Condition 1 PERMIT  
Special Condition 1 PERMIT

Description: Failed to prevent an avoidable emissions event, resulting in the unauthorized release of air contaminants.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to include authorization number for HCU1 on the final report for the December 17, 2004 emissions event.

Effective Date: 06/15/2006

ADMINORDER 2005-1792-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18287 Special Condition 1 PERMIT

Description: Failed to prevent an avoidable emissions event that lasted 2 hours and 16 minutes, releasing 15,261 pounds of carbon monoxide, 37 pounds of ammonia and 6 pounds of hydrogen cyanide.

Effective Date: 08/28/2006

ADMINORDER 2005-0289-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flex Permit # 18287 SC #1 PERMIT

Description: Failed to comply with the emissions sources Maximum Allowable Emission Rate Table during emissions events.

Effective Date: 09/21/2006

ADMINORDER 2006-0233-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SPECIAL CONDITION 1 PERMIT

Description: Failed to prevent an avoidable emissions event that lasted 51 hours and 15 minutes, releasing 86,409 lbs of sulfur dioxide, 2,602 lbs of VOCs, 1,634 lbs of carbon monoxide, 937 lbs of hydrogen sulfide and 130 lbs of nitrogen oxide.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit #18287, SC #1 PERMIT  
Description: Failed to prevent an avoidable emissions event on August 9, 2005 that lasted for one hour and 43 minutes, releasing 3,887 lbs of sulfur dioxide, 1,080 lbs of nitrogen monoxide, 120 lbs of nitrogen dioxide and 569 lbs of carbon monoxide.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit #18287, SC#1 PA

Description: Failed to prevent the unauthorized emissions of 11,582 lbs of sulfur dioxide, 1,591 lbs of nitrogen monoxide, 839 lbs of carbon monoxide and 180 lbs of nitrogen dioxide during an emissions event on September 12, 2005, which lasted for one hour.

Effective Date: 10/02/2006

ADMINORDER 2006-0365-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit #18287, SC1 PERMIT

Description: Failed to prevent an avoidable emissions event on 3/24/04 that lasted five hrs and three minutes, releasing 41,458 lbs of carbon monoxide, 185 lbs of ammonia, 148 lbs of hydrogen cyanide, 220 lbs of particulate matter, 716 lbs nitrogen oxides, 5,493 lbs of sulfur dioxide, 9,106 lbs of VOCs and 46 lbs of hydrogen sulfide

Effective Date: 01/26/2007

ADMINORDER 2006-0737-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit No. 18287, SC#1 PERMIT

Description: Failed to prevent an avoidable emissions event in the Catalytic Light Ends Unit 3 on September 3, 2004 that lasted eight minutes, releasing 14,399 pounds ("lbs") of the highly reactive volatile organic compound ("HRVOC") ethylene and 146 lbs of propane.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: TCEQ Flexible Permit #18287, SC# 1 PERMIT

Description: Failed to prevent an avoidable emissions event in the Propane Dewaxing Unit on November 29, 2005 that lasted 12 hours and 30 minutes, releasing 11,409 pounds ("lbs") of propane, 62 lbs of hydrogen sulfide and 28 lbs of propylene.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to identify the permit number on the final reports that were submitted for the September 3, 2004 and November 29, 2005 emissions events.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	04/18/2002	(158958)
2	05/14/2002	(246551)
3	05/20/2002	(158962)
4	05/30/2002	(1344)
5	06/14/2002	(158966)
6	06/27/2002	(246552)
7	07/12/2002	(158970)
8	07/19/2002	(1862)
9	07/26/2002	(1750)
10	08/13/2002	(7822)
11	08/21/2002	(158974)
12	08/26/2002	(8617)
13	08/27/2002	(9555)
14	08/28/2002	(10138)
15	08/28/2002	(10060)
16	08/28/2002	(9533)
17	08/31/2002	(4925)
18	08/31/2002	(10348)
19	08/31/2002	(10406)
20	08/31/2002	(9353)
21	08/31/2002	(4790)
22	08/31/2002	(10215)
23	08/31/2002	(9535)
24	08/31/2002	(9989)
25	08/31/2002	(9518)
26	08/31/2002	(9514)
27	08/31/2002	(9505)
28	08/31/2002	(4782)



29	08/31/2002	(10002)
30	08/31/2002	(9984)
31	08/31/2002	(10376)
32	08/31/2002	(9873)
33	08/31/2002	(9839)
34	08/31/2002	(10301)
35	08/31/2002	(10337)
36	08/31/2002	(9529)
37	09/12/2002	(6717)
38	09/16/2002	(158977)
39	09/25/2002	(11688)
40	09/25/2002	(11704)
41	09/25/2002	(10278)
42	09/25/2002	(11714)
43	10/04/2002	(11966)
44	10/07/2002	(9492)
45	10/07/2002	(10732)
46	10/09/2002	(12765)
47	10/14/2002	(158980)
48	10/21/2002	(11574)
49	10/25/2002	(12472)
50	11/15/2002	(158984)
51	11/19/2002	(14312)
52	11/25/2002	(16480)
53	12/02/2002	(16777)
54	12/19/2002	(158988)
55	01/08/2003	(18789)
56	01/10/2003	(19176)
57	01/17/2003	(21370)
58	01/21/2003	(158992)
59	02/08/2003	(158951)
60	03/18/2003	(28114)
61	03/21/2003	(158954)
62	03/21/2003	(22728)
63	03/28/2003	(27429)
64	03/28/2003	(26898)
65	04/03/2003	(26192)
66	04/03/2003	(24466)
67	04/15/2003	(158959)
68	05/01/2003	(34037)
69	05/08/2003	(24899)
70	05/14/2003	(21719)
71	05/19/2003	(28334)
72	05/20/2003	(158963)
73	06/03/2003	(31487)
74	06/18/2003	(158967)
75	06/27/2003	(23997)
76	07/11/2003	(38025)
77	07/15/2003	(158971)
78	07/21/2003	(145449)
79	07/28/2003	(143775)
80	07/31/2003	(143468)
81	08/04/2003	(27210)
82	08/05/2003	(12119)
83	08/06/2003	(148752)
84	08/18/2003	(295750)
85	08/27/2003	(113043)
86	08/27/2003	(152197)
87	08/29/2003	(150365)
88	08/29/2003	(150864)
89	09/16/2003	(295752)
90	10/20/2003	(295754)
91	11/18/2003	(295756)
92	12/17/2003	(295757)
93	01/23/2004	(295758)
94	01/30/2004	(258928)
95	01/30/2004	(258921)
96	02/18/2004	(295740)
97	02/20/2004	(262675)
98	02/26/2004	(263843)
99	03/10/2004	(260889)
100	03/10/2004	(260872)
101	03/15/2004	(295742)
102	03/15/2004	(263857)
103	03/17/2004	(263880)
104	04/07/2004	(263885)
105	04/19/2004	(295743)
106	04/30/2004	(266933)
107	05/10/2004	(151755)
108	05/17/2004	(295745)

109	05/17/2004	(267458)
110	06/03/2004	(269088)
111	06/14/2004	(295747)
112	06/16/2004	(267859)
113	06/22/2004	(267197)
114	06/25/2004	(267327)
115	06/28/2004	(268917)
116	06/28/2004	(267243)
117	06/30/2004	(273343)
118	06/30/2004	(272731)
119	06/30/2004	(268942)
120	06/30/2004	(268976)
121	07/02/2004	(268937)
122	07/05/2004	(268960)
123	07/08/2004	(332775)
124	07/23/2004	(267916)
125	07/28/2004	(352252)
126	07/28/2004	(273430)
127	07/30/2004	(281613)
128	08/03/2004	(278115)
129	08/05/2004	(284996)
130	08/05/2004	(285905)
131	08/06/2004	(283891)
132	08/12/2004	(287978)
133	08/16/2004	(352253)
134	08/28/2004	(268055)
135	08/28/2004	(268992)
136	08/30/2004	(268034)
137	08/31/2004	(268738)
138	08/31/2004	(268748)
139	08/31/2004	(268764)
140	09/01/2004	(292073)
141	09/01/2004	(290594)
142	09/01/2004	(283208)
143	09/01/2004	(291353)
144	09/01/2004	(290226)
145	09/01/2004	(292083)
146	09/20/2004	(352254)
147	09/24/2004	(270454)
148	10/11/2004	(335357)
149	10/18/2004	(352255)
150	10/26/2004	(292710)
151	10/27/2004	(333600)
152	11/03/2004	(338702)
153	11/05/2004	(334294)
154	11/08/2004	(335879)
155	11/08/2004	(340028)
156	11/08/2004	(340024)
157	11/08/2004	(337651)
158	11/09/2004	(339020)
159	11/09/2004	(339949)
160	11/09/2004	(340023)
161	11/11/2004	(340075)
162	11/11/2004	(340145)
163	11/12/2004	(340365)
164	11/12/2004	(340615)
165	11/12/2004	(335883)
166	11/15/2004	(352256)
167	11/17/2004	(340163)
168	11/17/2004	(340565)
169	11/22/2004	(337719)
170	11/22/2004	(340689)
171	11/22/2004	(340575)
172	11/22/2004	(339656)
173	11/22/2004	(267703)
174	11/23/2004	(340185)
175	11/29/2004	(340829)
176	12/05/2004	(269620)
177	12/09/2004	(341224)
178	12/13/2004	(268246)
179	12/13/2004	(267690)
180	12/13/2004	(342452)
181	12/13/2004	(267765)
182	12/13/2004	(342441)
183	12/14/2004	(342432)
184	12/14/2004	(342708)
185	12/14/2004	(342152)
186	12/16/2004	(342682)
187	12/20/2004	(381909)
188	12/20/2004	(338518)

189	12/21/2004	(341978)
190	12/22/2004	(278243)
191	12/22/2004	(268731)
192	12/22/2004	(339607)
193	12/22/2004	(340759)
194	12/22/2004	(342051)
195	12/27/2004	(341022)
196	12/28/2004	(268993)
197	12/28/2004	(337673)
198	12/28/2004	(334795)
199	12/28/2004	(268990)
200	12/28/2004	(343607)
201	12/28/2004	(334936)
202	12/28/2004	(269717)
203	12/28/2004	(272677)
204	12/28/2004	(341014)
205	12/28/2004	(267530)
206	12/28/2004	(341980)
207	12/28/2004	(268918)
208	12/28/2004	(338557)
209	12/29/2004	(278295)
210	12/29/2004	(341979)
211	12/30/2004	(268760)
212	12/31/2004	(267843)
213	12/31/2004	(272589)
214	01/04/2005	(267623)
215	01/04/2005	(341983)
216	01/04/2005	(267736)
217	01/06/2005	(344763)
218	01/06/2005	(267642)
219	01/07/2005	(341981)
220	01/07/2005	(343633)
221	01/10/2005	(341982)
222	01/10/2005	(339231)
223	01/12/2005	(267368)
224	01/12/2005	(344761)
225	01/13/2005	(346338)
226	01/21/2005	(342494)
227	01/23/2005	(334796)
228	01/25/2005	(381910)
229	01/25/2005	(341747)
230	01/25/2005	(348070)
231	01/27/2005	(342684)
232	01/31/2005	(347261)
233	02/15/2005	(381907)
234	02/21/2005	(351015)
235	02/21/2005	(337401)
236	02/28/2005	(267818)
237	03/15/2005	(381908)
238	03/29/2005	(375295)
239	04/07/2005	(344010)
240	04/07/2005	(337403)
241	04/12/2005	(375744)
242	04/18/2005	(419750)
243	04/22/2005	(349214)
244	04/22/2005	(349058)
245	04/22/2005	(347659)
246	04/28/2005	(348685)
247	05/10/2005	(380346)
248	05/12/2005	(374170)
249	05/13/2005	(379379)
250	05/17/2005	(419751)
251	05/26/2005	(333676)
252	06/09/2005	(394572)
253	06/13/2005	(395496)
254	06/20/2005	(419752)
255	06/20/2005	(343630)
256	06/23/2005	(395306)
257	06/30/2005	(396806)
258	06/30/2005	(396852)
259	07/12/2005	(349438)
260	07/12/2005	(399391)
261	07/13/2005	(399494)
262	07/13/2005	(348979)
263	07/13/2005	(349569)
264	07/18/2005	(440885)
265	07/22/2005	(349408)
266	07/29/2005	(349505)
267	08/02/2005	(402576)
268	08/02/2005	(402917)

269	08/02/2005	(402737)
270	08/02/2005	(402844)
271	08/03/2005	(401816)
272	08/08/2005	(402336)
273	08/08/2005	(399628)
274	08/09/2005	(403164)
275	08/09/2005	(403721)
276	08/09/2005	(403230)
277	08/09/2005	(403380)
278	08/09/2005	(404259)
279	08/09/2005	(404230)
280	08/09/2005	(404296)
281	08/09/2005	(403017)
282	08/15/2005	(405021)
283	08/16/2005	(404547)
284	08/16/2005	(404301)
285	08/18/2005	(440886)
286	08/19/2005	(404792)
287	08/23/2005	(405305)
288	08/24/2005	(399636)
289	08/24/2005	(399637)
290	08/29/2005	(405928)
291	08/29/2005	(405272)
292	08/31/2005	(418871)
293	09/01/2005	(399476)
294	09/23/2005	(440887)
295	09/28/2005	(432076)
296	09/28/2005	(431581)
297	10/07/2005	(347309)
298	10/12/2005	(342414)
299	10/17/2005	(434480)
300	10/21/2005	(440888)
301	11/03/2005	(418987)
302	11/03/2005	(431598)
303	11/04/2005	(436195)
304	11/07/2005	(431591)
305	11/07/2005	(431566)
306	11/09/2005	(431596)
307	11/09/2005	(431541)
308	11/15/2005	(431597)
309	11/21/2005	(468533)
310	11/22/2005	(435072)
311	11/22/2005	(438130)
312	11/22/2005	(433933)
313	12/19/2005	(468534)
314	12/20/2005	(267563)
315	12/21/2005	(435335)
316	12/21/2005	(434204)
317	12/30/2005	(435909)
318	12/30/2005	(435916)
319	01/17/2006	(468535)
320	01/17/2006	(273538)
321	01/17/2006	(450474)
322	02/06/2006	(450733)
323	02/16/2006	(337610)
324	02/17/2006	(468531)
325	02/21/2006	(452651)
326	02/28/2006	(456441)
327	02/28/2006	(457051)
328	03/20/2006	(498267)
329	03/23/2006	(343625)
330	03/24/2006	(459648)
331	04/04/2006	(461224)
332	04/13/2006	(431716)
333	04/17/2006	(468532)
334	04/20/2006	(457398)
335	04/20/2006	(457390)
336	04/20/2006	(461537)
337	04/26/2006	(338552)
338	04/27/2006	(461574)
339	04/28/2006	(463895)
340	05/02/2006	(460481)
341	05/03/2006	(463377)
342	05/04/2006	(462741)
343	05/08/2006	(457378)
344	05/16/2006	(462451)
345	05/16/2006	(465569)
346	05/17/2006	(457374)
347	05/17/2006	(498268)
348	05/22/2006	(466175)

349	05/25/2006	(431599)
350	05/30/2006	(479780)
351	05/30/2006	(479785)
352	05/30/2006	(479729)
353	05/30/2006	(479791)
354	05/30/2006	(479710)
355	05/30/2006	(479817)
356	05/31/2006	(465081)
357	05/31/2006	(462401)
358	05/31/2006	(344766)
359	05/31/2006	(463588)
360	06/02/2006	(464665)
361	06/02/2006	(454646)
362	06/02/2006	(460480)
363	06/13/2006	(498269)
364	06/14/2006	(466357)
365	06/19/2006	(481233)
366	06/19/2006	(481262)
367	06/26/2006	(481569)
368	06/29/2006	(480981)
369	06/30/2006	(481533)
370	07/07/2006	(483457)
371	07/07/2006	(483683)
372	07/07/2006	(484811)
373	07/17/2006	(498270)
374	07/20/2006	(484814)
375	07/31/2006	(489107)
376	07/31/2006	(484463)
377	08/03/2006	(489455)
378	08/03/2006	(454867)
379	08/08/2006	(520282)
380	08/09/2006	(484809)
381	08/18/2006	(347307)
382	08/18/2006	(487811)
383	08/31/2006	(489776)
384	08/31/2006	(465761)
385	09/01/2006	(509264)
386	09/01/2006	(510727)
387	09/01/2006	(510733)
388	09/05/2006	(489701)
389	09/05/2006	(489770)
390	09/11/2006	(520283)
391	09/25/2006	(497145)
392	09/29/2006	(489710)
393	10/06/2006	(520284)
394	10/18/2006	(513741)
395	10/18/2006	(512809)
396	10/26/2006	(517328)
397	10/30/2006	(516968)
398	11/06/2006	(544605)
399	11/15/2006	(514799)
400	11/15/2006	(347306)
401	11/15/2006	(518447)
402	11/30/2006	(457899)
403	11/30/2006	(531626)
404	12/07/2006	(544606)
405	12/08/2006	(532394)
406	12/13/2006	(519183)
407	12/21/2006	(393692)
408	01/08/2007	(533556)
409	01/09/2007	(535937)
410	01/11/2007	(544607)
411	01/11/2007	(534949)
412	01/12/2007	(481287)
413	01/23/2007	(536577)
414	01/29/2007	(532949)
415	01/29/2007	(449587)
416	01/31/2007	(517160)
417	01/31/2007	(538653)
418	02/02/2007	(462413)
419	02/05/2007	(457903)
420	02/06/2007	(539165)
421	02/07/2007	(544604)
422	02/08/2007	(539319)
423	02/09/2007	(484815)
424	02/09/2007	(440421)
425	02/09/2007	(449579)
426	02/15/2007	(535801)
427	02/15/2007	(457902)
428	02/27/2007	(515654)

429 02/28/2007 (481875)  
430 03/08/2007 (449583)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	05/14/2002	(246551)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	NON-RPT VIOS FOR MONIT PER OR PIPE			
Date:	06/27/2002	(246552)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	NON-RPT VIOS FOR MONIT PER OR PIPE			
Date:	07/31/2002	(158974)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)			
	TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	08/31/2002	(158977)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)			
	TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	10/31/2002	(158984)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)			
	TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	03/25/2003	(22728)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.222(b)(3)			
	5C THC Chapter 382, SubChapter A 382.085(b)			
Description:	Failure to prevent unauthorized emissions that resulted from a maintenance event.			
Date:	05/08/2003	(24899)		
Self Report?	NO		Classification:	Moderate
Citation:	5C THC Chapter 382, SubChapter A 382.085(a)			
Description:	Failed to control ethylene emissions during process operations.			
Date:	07/31/2003	(143458)		
Self Report?	NO		Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)			
Description:	Failure to draw representative samples from cooling towers CT 16/24 and CT 58			
Date:	08/29/2003	(150864)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)			
Description:	Exxon failed to report an emissions event that occurred during a scheduled maintenance activity.			
Date:	07/08/2004	(332775)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)			
	30 TAC Chapter 305, SubChapter F 305.125(17)			
Description:	NON-RPT VIOS FOR MONIT PER OR PIPE			
Date:	08/06/2004	(283891)		
Self Report?	NO		Classification:	Minor
Citation:	TWC Chapter 26 26.121(a)(1)			
Description:	Failure to prevent the unauthorized discharge of firewater.			
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)			
Rqmt Prov:	PERMIT No. 00592-000 Page 2 No. 1			
Description:	Failure to maintain compliance with permitted Total Suspended Solids (TSS) effluent limit at outfall 001. The grab sample collected during the inspection was noncompliant for TSS.			
Date:	08/28/2004	(268055)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a)			
	5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT 18287			
Description:	Exceeded VOC permit limit.			
Date:	08/28/2004	(268992)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a)			
	5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT 18287			
Description:	Failed to prevent unauthorized emissions during an emissions event.			
Date:	11/10/2004	(339949)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a)			
	5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT Flex Permit 18287, SC 1			
Description:	Failure to prevent unauthorized ethylene emissions from safety valve CLO-369.			
Date:	11/30/2004	(340185)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a)			
	5C THC Chapter 382, SubChapter A 382.085(b)			

Rqmt Prov: PERMIT Flex Permit 18287, SC 1  
 Description: Failure to prevent unauthorized emissions of 687 lbs SO<sub>2</sub>.  
 Date: 12/21/2004 (334796)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PERMIT Special Condition 1  
 Description: A contract worker inadvertently tripped the C30 shutdown interlock, shutting down the CLEU3 unit.  
 Date: 12/22/2004 (339607)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PERMIT Special Condition 1  
 Description: Operator inadvertently left CWS block valve closed during startup. Wet Gas Compressor could not handle all the acfm of gas. Excess cat gas was flared until troubleshooters found and corrected the problem.  
 Date: 12/28/2004 (338518)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PERMIT Special Condition 1  
 Description: Exxon failed to properly control 600 psi steam system pressure during a rainstorm, thereby losing control of Sour Gas Compressor speed in the Flexicoker Unit, resulting in localized loss of pressure control and opening of some pressure relief valves to the flare.  
 Date: 12/28/2004 (341978)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PERMIT 18287, SC 1  
 Description: Failure to prevent unauthorized emissions of 909 pounds of sulfur dioxide.  
 Date: 12/29/2004 (341979)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PERMIT Flexible Permit 18287, SC 1  
 Description: Failure to prevent unauthorized emissions of 11 lbs of hydrogen sulfide and 3862 lbs of sulfur dioxide.  
 Date: 12/30/2004 (268990)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PERMIT Special Condition 1  
 Description: Exxon failed to provide an affirmative defense for Incident # 36744. CO Boiler SG501B air damper stuck too far open, then swung shut. Exxon has not explained how/why. 12,881 lbs of unauthorized CO emissions cannot be exempted. NOV to be issued.  
 Date: 12/31/2004 (267843)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PERMIT Special Condition 1  
 Description: During the startup of the T-6 sour depropanizer tower, the refrigeration would not start, due to instrument malfunction, which resulted in flaring. The instrument malfunction was corrected and the compressor started as quickly as possible.  
 Date: 12/31/2004 (341980)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PERMIT Permit 18287, SC 1  
 Description: Failure to prevent emissions of 4035 lbs of SO<sub>2</sub>.  
 Date: 01/24/2005 (342494)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter G 116.715(a)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 Rqmt Prov: PA Permit 18287 Special Condition 54E  
 Description: failure to cap/plug valve nos., 204, 223, 451, 650, 222, 283, and valves next to valve 43, and 228 respectively.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)  
 Description: failure to seal the end of two leaking plug #462 (670 ppmv reading), and #511 (6,500 ppmv reading).  
 Date: 08/19/2005 (404792)  
 Self Report? NO Classification: Moderate

Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(8)(A) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	failed to identify self heating waste material which caused a fire in a roll off bin.		
Date:	09/30/2005 (440888)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	04/26/2006 (461574)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT TCEQ Permit #18287, SC #1		
Description:	ExxonMobil failed to provide lean MEA while pressurizing Tower 381.		
Date:	05/15/2006 (462451)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(8) 30 TAC Chapter 116, SubChapter B 116.115(b) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT TCEQ Permit No. 44533, GC #8		
Description:	Exxon failed to submit a completed final report.		
Date:	05/31/2006 (463588)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.211(a)(1)(l)		
Description:	Failed to report the permit authorization for the facility involved in the maintenance activity.		
Date:	07/07/2006 (483457)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.223(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Exxon failed to submit a CAP in a timely manner.		
Date:	08/18/2006 (487811)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.223(a)(1)		
Description:	Failed submit a CAP in a timely manner.		
Date:	08/31/2006 (489776)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 18287		
Description:	EM failed to prevent this emissions event.		
Date:	10/18/2006 (513741)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PA TCEQ Flexible Air Permit #18287, SC#1		
Description:	Exxon Mobil failed to prevent a break on the instrument air line.		
Date:	12/13/2006 (519183)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.223(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Exxon failed to submit a CAP in a timely manner.		
Date:	01/08/2007 (533556)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PA TCEQ Flexible Air Permit #18287, SC#1		
Description:	failure to prevent a power source interruption of all three power suppliers due to bad transfer switches.		
Date:	01/29/2007 (532949)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Rqmt Prov:	PERMIT 00592-000		
Description:	Failure to comply with Other Requirements No. 3 of TPDES Permit No. 00592-000.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(5)		
Rqmt Prov:	PERMIT 00592-000		
Description:	Failure to properly operate and maintain the tricking filter.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 319, SubChapter A 319.11(b)		
Rqmt Prov:	PERMIT 00592-000		
Description:	Failure to document the time of pH analyses for Outfalls 102 and 002, therefore, the pH holding time could not be determined.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Rqmt Prov:	PERMIT 00592-000		
Description:	Failure to properly collect the 24-hour acute marine bioassay for Outfall 002.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 319, SubChapter A 319.7(a)[G]		
Rqmt Prov:	PERMIT 00592-000		
Description:	Failure to properly record the time of sample collection, as required.		



Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 319, SubChapter A 319.7(c)		
Description:	Failure to properly complete the 10/08 discharge monitoring report (DMR).		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 319, SubChapter A 319.11(a) 30 TAC Chapter 319, SubChapter A 319.11(b)		
Description:	Failure to properly collect the oil & grease, phenolic compounds, and polynuclear aromatic hydrocarbon grab samples.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(4) 30 TAC Chapter 305, SubChapter F 305.125(5) TWC Chapter 26 26.121 TWC Chapter 26 26.121(a)(1) TWC Chapter 26 26.121(a)(2) TWC Chapter 26 26.121(a)(3) TWC Chapter 26 26.121(a)[G] TWC Chapter 26 26.121(b) TWC Chapter 26 26.121(c) TWC Chapter 26 26.121(d) TWC Chapter 26 26.121(e) TWC Chapter 26 26.121[G]		
Rqmt Prov:	PERMIT 00592-000		
Description:	Failure to prevent the unauthorized discharge of domestic sewage.		
Date:	02/13/2007 (539319)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PA TCEQ AIR FLEXIBLE PERMIT #16287, SC#1		
Description:	ExxonMobil failed to accurately set the operating envelope set point for safety valve H0889.		

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF  
AN ENFORCEMENT ACTION  
CONCERNING  
EXXON MOBIL CORPORATION,  
RN102579307

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BEFORE THE  
  
TEXAS COMMISSION ON  
  
ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2007-0463-AIR-E

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Exxon Mobil Corporation ("Exxon") under the authority of TEX. WATER CODE ch. 7 and TEX. HEALTH & SAFETY CODE ch. 382. The Executive Director of the TCEQ, represented by the Litigation Division, and Exxon, represented by Mr. George J. Rizzo, presented this agreement to the Commission.

Exxon understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Exxon agrees to waive all notice and procedural rights.

It is further understood and agreed that this Agreed Order represents the complete and fully-integrated agreement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon Exxon.

The Commission makes the following Findings of Fact and Conclusions of Law:

### FINDINGS OF FACT

1. Exxon owns and operates a refining and supply company located at 2800 Decker Drive in Baytown, Harris County, Texas ( the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

3. During a record review conducted on December 14, 2006, a Houston TCEQ Regional Office investigator documented that Exxon failed to prevent unauthorized emissions. Specifically, Exxon released 28,213 pounds ("lbs") of carbon monoxide ("CO"), 115 lbs of ammonia and 92 lbs of hydrogen cyanide from the Fluid Catalytic Cracking Unit ("FCCU") 3 during an avoidable emissions event that began June 16, 2005 and lasted three hours and 34 minutes. Since this emissions event was avoidable and determined to be excessive, Exxon failed to meet the demonstrations necessary to present an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
4. During a record review conducted on July 17, 2006, a Houston TCEQ Regional Office investigator documented that Exxon failed to prevent unauthorized emissions. Specifically, Exxon released 25,336 lbs of heptane, 308 lbs of toluene and 2 lbs of benzene from the Oil Movements Area 2 during an avoidable emissions event that began May 31, 2006 and lasted 15 hours and 50 minutes. Since this emissions event was avoidable and determined to be excessive, Exxon failed to meet the demonstrations necessary to present an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
5. During a record review conducted on July 17, 2006, a Houston TCEQ Regional Office investigator documented that Exxon failed to prevent unauthorized emissions. Specifically, Exxon released 8,005 lbs of CO, 209 lbs nitrogen oxide and 68,157 lbs of sulfur dioxide ("SO<sub>2</sub>") from the Flexicoker and the Sulfur Conversion Unit during an avoidable emissions event that began May 23, 2006 and lasted three hours and 47 minutes. Since this emissions event was avoidable and determined to be excessive, Exxon failed to meet the demonstrations necessary to present an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
6. The Executive Director recognizes that on May 14, 2007, Exxon submitted completed corrective action plans ("CAPs") to the Executive Director to address the excessive emissions events that occurred on June 16, 2005, and May 23 and 31, 2006.
7. The Executive Director recognizes that the CAPS were approved by the Executive Director on September 5, 2007.
8. Exxon received notice of the violations on or about March 13 and 28 and April 1, 2007.

### CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact Nos. 1 and 2, Exxon is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE § 7.002, TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the Commission.

2. As evidenced by Finding of Fact No. 3, Exxon failed to prevent unauthorized emissions. Specifically, Exxon released 28,213 lbs of CO, 115 lbs of ammonia and 92 lbs of hydrogen cyanide from the FCCU3 during an avoidable emissions event that began June 16, 2005 and lasted three hours and 34 minutes, in violation of 30 TEX. ADMIN. CODE § 116.715(a); Air Permit No. 18287, Special Condition No. 1; and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was avoidable and determined to be excessive, Exxon failed to meet the demonstrations necessary to present an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
3. As evidenced by Finding of Fact No. 4, Exxon failed to prevent unauthorized emissions. Specifically, Exxon released 25,336 lbs of heptane, 308 lbs of toluene and 2 lbs of benzene from the Oil Movements Area 2 during an avoidable emissions event that began May 31, 2006 and lasted 15 hours and 50 minutes, in violation of 30 TEX. ADMIN. CODE § 116.715(a); Air Permit No. 18287, Special Condition No. 1; and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was avoidable and determined to be excessive, Exxon failed to meet the demonstrations necessary to present an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
4. As evidenced by Finding of Fact No. 5, Exxon failed to prevent unauthorized emissions. Specifically, Exxon released 8,005 lbs of CO, 209 lbs nitrogen oxide and 68,157 lbs of SO<sub>2</sub> from the Flexicoker and the Sulfur Conversion Unit during an avoidable emissions event that began May 23, 2006 and lasted three hours and 47 minutes, in violation of 30 TEX. ADMIN. CODE § 116.715(a); Air Permit No. 18287, Special Condition No. 1; and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was avoidable and determined to be excessive, Exxon failed to meet the demonstrations necessary to present an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
5. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Exxon for violations of the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statute; or for violations of orders or permits issued under such statutes.
6. An administrative penalty in the amount of thirty thousand dollars (\$30,000.00) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. Exxon has paid thirty thousand dollars (\$30,000.00) of the administrative penalty.

#### ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. Exxon is assessed an administrative penalty in the amount of thirty thousand dollars (\$30,000.00) as set forth in Conclusion of Law No.6 for violations of TCEQ rules and state statutes. The payment of this administrative penalty and Exxon's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: Exxon Mobil Corporation: Docket No. 2007-0463-AIR-E; Enforcement ID No. 33027" to:

Financial Administration Division, Revenues Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

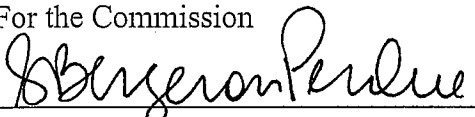
2. The provisions of this Agreed Order shall apply to and be binding upon Exxon. Exxon is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the East Plant operations referenced in this Agreed Order.
3. If Exxon fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Exxon's failure to comply is not a violation of this Agreed Order. Exxon shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Exxon shall notify the Executive Director within seven days after Exxon becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Exxon shall be made in writing to the Executive Director. Extensions are not effective until Exxon receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Exxon if the Executive Director determines that Exxon has not complied with one or more of the terms or conditions in this Agreed Order.
6. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

7. This Agreed Order, issued by the Commission, shall not be admissible against Exxon in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
9. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. Pursuant to 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date is the date of hand-delivery of the Order to Exxon, or three days after the date on which the Commission mails notice of the Order to Exxon, whichever is earlier.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

7/10/2008

Date


I, the undersigned, have read and understand the attached Agreed Order in the matter of Exxon Mobil Corporation. I represent that I am authorized to agree to the attached Agreed Order on behalf of Exxon Mobile Corporation and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Exxon Mobil Corporation waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that Exxon's failure to comply with the Ordering Provisions, if any, in this order and/or its failure to timely pay the penalty amount, may result in:

- A negative impact on its compliance history;
- Greater scrutiny of any permit applications submitted by it;
- Referral of this case to the Attorney General's office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against it;
- Automatic referral to the Attorney General's Office of any future enforcement actions against it; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

GARY W. WILSON

Name (printed or typed)

Authorized Representative of  
Exxon Mobil Corporation

5/2/08

Date

BOYTOWN

REFINERY MANAGER

Title